

FILED BY *JG* D.C.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

TAMI BICKFORD, next friend  
of DAVID MICHAEL SPOON,

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TN MEMPHIS

Plaintiff,

vs.

No. 03 - 2953

LAUDERDALE COUNTY, TENNESSEE,  
TODD WHITE, and PHILLIP  
MORRIS,

Defendants.

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**CONSENT ORDER OF DISMISSAL WITH PREJUDICE**

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The plaintiff sued Lauderdale County, Tennessee, and several of its agencies, along with Phillip Morris and Todd White.<sup>1</sup> During the trial, at the close of the plaintiff's proof, the court granted the motion of the defendant Lauderdale County for judgment in its favor as a matter of law pursuant to Rule 50(a) of the Federal Rules of Civil Procedure on the basis that there was no legally sufficient evidentiary basis for a reasonable jury to find for the plaintiff against Lauderdale County and that Lauderdale County was entitled to judgment in its favor as a matter of law..

Following this ruling by the court, the remaining parties<sup>2</sup> announced to the court that the matters in controversy had been compromised and settled and that this case could be dismissed with prejudice with each party bearing his or its own costs..

The Chancery Court for Lauderdale County having approved the compromise settlement between the plaintiff and his representative on the one hand and the remaining defendants on the other, it appears to the court that this matter should be dismissed as to

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<sup>1</sup> Other defendants have been dismissed from this litigation earlier.

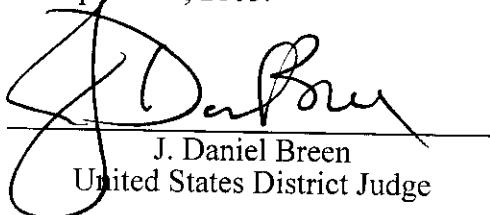
<sup>2</sup> The remaining parties were Todd White and Phillip Morris.

**Consent Order of Dismissal, Page Two**

all parties.

THEREFORE, it is **ORDERED** that this case is hereby dismissed with prejudice, with each party bearing his or its own costs.

This 26 day of September, 2005.



J. Daniel Breen  
United States District Judge

J. Barney Witherington, IV

s/J. Barney Witherington III by  
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w/ permission

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This notice confirms a copy of the document docketed as number 54 in case 2:03-CV-02953 was distributed by fax, mail, or direct printing on September 26, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT